

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

-----X
48th Restaurant Associates, LLC,

Plaintiff,

-against-

AVRA HOSPITALITY, et al.,

Defendants.
-----X

USDC SDNY DOCUMENT ELECTRONICALLY FILED DOC #: _____ DATE FILED: 9/13/2019

19-CV-7708 (VSB)

ORDER

VERNON S. BRODERICK, United States District Judge:


On September 12, 2019, Defendants filed a motion to dismiss the amended complaint pursuant to Federal Rules of Civil Procedure 12(b)(2) and 12(b)(3), along with a memorandum of law and declarations in support. (Docs. 17–20.) Under Federal Rule of Civil Procedure 15(a)(1)(B), a plaintiff has 21 days after the service of a motion under Rule 12(b) to amend the complaint once as a matter of course. Accordingly, it is hereby:

ORDERED that Plaintiffs shall file any second amended complaint by October 3, 2019. It is unlikely that Plaintiffs will have a further opportunity to amend.

IT IS FURTHER ORDERED that if no second amended complaint is filed, Plaintiff(s) shall serve any opposition to the motion to dismiss by October 12, 2019. Defendants' reply, if any, shall be served by October 26, 2019. At the time any reply is served, the moving party shall supply Chambers with two courtesy copies of all motion papers pursuant to my Individual Rules by mailing or delivering them to the Thurgood Marshall United States Courthouse, 40 Foley Square, New York, New York.

SO ORDERED.

Dated: September 13, 2019
New York, New York



Vernon S. Broderick
United States District Judge